

Assembly Bill No. 1231

Passed the Assembly September 10, 2013

Chief Clerk of the Assembly

Passed the Senate September 9, 2013

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Section 4686.21 of the Welfare and Institutions Code, relating to regional center services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1231, V. Manuel Pérez. Regional centers: telehealth.

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities.

This bill would, until January 1, 2019, require the department to inform all regional centers that any appropriate health care service and dentistry may be provided through the use of telehealth, as defined, to consumers of regional center services. The bill would require the department to provide technical assistance to regional centers on the use of telehealth and to request those centers to consider the use of telehealth services for inclusion in training programs for parents of consumers.

The bill would require that the provision of a service through the use of telehealth be voluntary and immediately discontinued at the request of the consumer or his or her parent, legal guardian, or conservator, as appropriate.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to do all of the following:

(a) Improve access to treatments and intervention services, including dental health care services, for consumers of regional center services and their families in underserved populations.

(b) Provide more cost-effective treatments and intervention services for consumers of regional center services and their families.

(c) Maximize the effectiveness of the interpersonal and face-to-face interactions that are utilized for the treatment of consumers of regional center services.

(d) Continue maintenance and support of the existing service workforce for consumers of regional center services.

(e) Utilize telehealth to improve services for consumers of regional center services.

SEC. 2. Section 4686.21 is added to the Welfare and Institutions Code, to read:

4686.21. (a) The department shall do all of the following:

(1) Inform all regional centers that any appropriate health care service may be provided through the use of telehealth to consumers of regional center services.

(2) Inform all regional centers that dentistry may be provided through the use of telehealth to consumers.

(3) Request regional centers to consider the use of telehealth services for inclusion in training programs for parents of consumers, including, but not limited to, group training programs as described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c) of Section 4685.

(4) Provide, using existing resources, and in partnership with other organizations, resources, and stakeholders, technical assistance to regional centers regarding the use of telehealth to meet the health and dental care needs of consumers.

(b) The department may implement appropriate vendorization subcodes for services provided through telehealth.

(c) The provision of a service through the use of telehealth shall be voluntary and shall be immediately discontinued at the request of the consumer or, as appropriate, the consumer's parent, legal guardian, or conservator. Any consumer who receives services through the use of telehealth pursuant to this section shall have an automatic right to immediately return to his or her preexisting services, as defined by the consumer's individual program plan, that were in place prior to the implementation of the telehealth service.

(d) A provider of telehealth services shall be responsible for all expenses and costs related to the equipment, transmission, storage, infrastructure, and other expenses related to telehealth.

(e) For purposes of this section, the following definitions shall apply:

(1) "Department" means the State Department of Developmental Services.

(2) “Telehealth” has the same meaning as set forth in Section 2290.5 of the Business and Professions Code.

(f) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

Approved _____, 2013

Governor